

Civiletti admits he sat on Billy info

By JOSEPH VOLZ

Washington (News Bureau)—Attorney General Benjamin Civiletti admitted yesterday that he did not disclose to Justice Department investigators a hot tip from a U.S. intelligence agency about a big Libyan "loan" to Billy Carter for more than six weeks. He said

he was concerned that any disclosure could "compromise" the intelligence source.

In a statement issued by the Justice Department, Civiletti, who is in Hawaii on his way to a three-week vacation trip in Australia, promised to give Senate investigators a "detailed account" of what he knew and when he knew of Libyan payments to Billy

upon his return after the Democratic National Convention.

Civiletti confirmed a Daily News report that he received "extremely sensitive intelligence" early in April indicating that "a transfer of money might be made by the Libyan government to Billy Carter." Subsequently, Billy was paid \$200,000 by the Libyans, and the government's discovery of this payment finally prodded the President's brother into registering as a foreign agent for Libya.

CIVILETTI SAID THE intelligence information "did not indicate that the money had been requested by Billy Carter, nor did it indicate any undertaking by Billy Carter as consideration for the payment." Besides compromising the intelligence source, the attorney general said, he was concerned that premature disclosure might "abort the transaction," presumably between Billy and the Libyans.

"If the (Justice) Department waited until the payment had been made," Civiletti said, "the Criminal Division would be able to proceed without the risk of identifying an important intelligence source." Therefore, he added, he told Assistant Attorney General Philip Heymann, head of the Criminal Division, only that he had learned of the "highly sensitive intelligence information" and that the Billy Carter investigation—which had been dragging on for many months then with no result—should not be closed. But apparently, Civiletti did not tell Heymann just what his intelligence information was.

It was not until May 29—when the intelligence information had been confirmed by "multiple sources"—that Civiletti handed over his information.

Joel Lisker, the Justice Department attorney who was nominally in charge of the Billy investigation, was not told about the tip and, in fact, did not learn about it until June. More than six weeks after the intelligence organization passed on its tip to Civiletti, the FBI managed to confirm the payment through other, nonsensitive sources, officials said. Apparently, it was then that Lisker was told and the investigation went into high gear.

COINCIDENTALLY, ON THE day Lisker was told about the Libyan payment, an Americus, Ga., lawyer, John S. Parks, called the Justice Department on Billy's behalf, inquiring about the case. According to Billy's own account of the case, Lisker refused to talk to Parks, so Billy himself called to ask for a meeting June 11. It was at that session that Billy told Lisker that he had received a total of \$220,000 from the Libyans.

Subsequently, Billy went to the White House to meet with national security adviser Zbigniew Brzezinski and White House counsel Lloyd Cutler, who advised him to get a lawyer and recommended two prominent Washington attorneys.

Associate Deputy Attorney General Robert Keuch, a 20-year career employee, told Senate investigators yesterday that Civiletti's interest in the Billy case was highly unusual. He said that he could recall only a handful of foreign-agent registration cases over the years in which the head of the Justice Department had shown any interest.

CIVILETTI HAS IN the past repeatedly emphasized in press conferences that he took a hands-off attitude toward the Billy case. As recently as May 29, he told reporters he hardly knew what the investigation was about, did not know why it was taking so long and would make no recommendation on a course of action.

Under pressure from the department, Billy finally signed a consent decree July 14 under which he registered as a Libyan agent.

In his testimony before the Senate panel, Keuch said he had never heard of a case where an attorney general, or any high Justice Department official, had actually advised a foreign agent to register. Civiletti, in a meeting with President Carter on June 17, told him that if Billy registered, chances were he would not be prosecuted. Nearly a month later, a reluctant Billy registered. He was not prosecuted or fined.